

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 08599 261616Z

44

ACTION ARA-20

INFO OCT-01 ISO-00 SS-20 NSC-10 L-03 JUSE-00 SCA-01

CIAE-00 INR-10 NSAE-00 RSC-01 INRE-00 DRC-01 SSO-00

NSCE-00 FBIE-00 SY-10 PRS-01 /078 W

----- 081578

O R 261545Z NOV 73

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC IMMEDIATE 4429

INFO AMEMBASSY NASSAU

AMEMBASSY SAN JOSE

C O N F I D E N T I A L BUENOS AIRES 8599

E.O. 11652: GDS

TAGS: PFOR CPRS BF

SUBJECT: EXTRADITION - ROBERT L. VESCO

1. ARGENTINE EXTRADITION EXPERT TOMAS A.J. BOYWITT, MEMBER OF FIRM BRONS & SALAS, ATTORNEYS AT LAW, AFTER BEING BRIEFED ON INFORMATION AVAILABLE TO EMBASSY FROM AP SOURCES RE JUDGE RODRIGUEZ' DECLARATORY JUDGMENT, MADE THE FOLLOWING OBSERVATIONS:

2. JUDGE RODRIGUEZ, A FEDERAL JUDGE, WOULD BE INCOMPETENT TO HEAR ANY ACTION OR SUIT INVOLVING A SOVEREIGN STATE, I.E., THE UNITED STATES. THE PROPER AUTHORITY WOULD HAVE TO BE THE SUPREME COURT AND NOTIFICATION TO THE INTERESTED SOVEREIGN STATE WOULD BE MADE THROUGH THE MINISTRY OF FOREIGN RELATIONS. NO EX PARTE ACTIONS REGARDING SOVEREIGN STATES ARE PROVIDED FOR UNDER THE LAW.

3. JUDGE RODRIGUEZ WOULD ALSO BE INCOMPETENT TO HEAR AN EXTRADITION MATTER A PRIORI. THE SUBJECT OF REQUESTED EXTRADITION THROUGH HIS LEGAL COUNSEL WOULD FILE A BRIEF AT THE APPELATE LEVEL WHICH WOULD BE SUBJECT TO REVIEW THROUGH THE SUPREME COURT.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 08599 261616Z

4. THE ENTIRE MATTER OF JUDGE RODRIGUEZ' DECLARATORY JUDGMENT APPEARS TO BE HIGHLY IRREGULAR. OF COURSE, BOYWITT INDICATED IT WOULD BE NECESSARY FOR HIM TO SEE THE ENTIRE RECORD AS CONTAINED IN TRIBUNALES BEFORE RENDERING ANY INFORMED JUDGMENT.

5. THE ENGLISH LANGUAGE BUENOS AIRES HERALD OF 11/24/73 CONTAINED AN EDITORIAL COMMENT REGARDING LOCAL PRESS RELUCTANCE TO REPORT INFORMATION OF LOCAL INTEREST WITHOUT FIRST VETTING SAME THROUGH THE GOVERNMENT PRESS OFFICE. CASE IN POINT WAS VESCO'S. MENTION IS MADE OF EYBROWS BEING RAISED IN BUENOS AIRES LEGAL PROFESSION WHO HAVE HEARD OF JUDGE RODRIGUEZ' DECLARATORY JUDGMENT. COMMENT IS MADE THAT STUDENTS AND LAW AND POLITICS ARE WAITING TO SEE WHETHER USG WILL APPEAL AGAINST RULING OR LET "SLEEPING DOGS LIE" IN VIEW OF CONNECTION OF VESCO WITH MITCHELL, STANS, ET AL.

6. EMBASSY ENDEAVORING TO SECURE CERTIFIED COPY OF JUDGMENT AND ANSWERS TO OTHER QUESTIONS IN REFERENCED CABLE.
KREBS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, SUPREME COURT, PRESS COMMENTS, ATTORNEYS, POLITICAL TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 26 NOV 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BUENOS08599
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731114/aaaaajyr.tel
Line Count: 84
Locator: TEXT ON-LINE
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 16 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16-Jan-2002 by shawdg>; APPROVED <06-Feb-2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION - ROBERT L. VESCO
TAGS: PFOR, CPRS, BF, (VESCO, ROBERT L)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005